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SUBJECT: Visa Validation Study - Iraqi B1/B2s Applying in Jordan

Summary

¶1. (SBU) Embassy Amman recently conducted a validation study of Iraqi visitor visas. The study revealed that over 21% of Iraqis remained in the United States beyond the duration of stay originally granted to them by DHS at port of entry. The only clear indicator of a likelihood to return to the Middle East was a recent history of successful, timely travel to the United States. Travelers employed in the oil, construction, and development industries visiting the United States for business meetings also appeared to comply with duration-of-stay limits. Interestingly, legal residence in Jordan was not a factor to support the claim of a strong tie to the Middle East. Post will refine its adjudication of Iraqi visitor visas as a result of this study and will continue to monitor travel patterns of visa recipients.

Background

¶2. (SBU) Since the fall of Saddam Hussein in Spring 2003, U.S. Embassy Amman has adjudicated over 20,000 Iraqi nonimmigrant visas with an overall issuance rate of 37%. Whereas Embassy Baghdad now provides a full range of consular services, it does not yet offer nonreferral visitor visas due to access issues. For this reason, significant numbers of Iraqis continue to apply for visitor visas in Amman where they must overcome the presumption that they are intending immigrants. This is problematic as the applicants have already abandoned a home in Iraq on either a short- or a long-term basis. Some Iraqis are legally resident in Jordan while others are merely in transit. How can one predict an Iraqi's likelihood to return to Iraq if they have already left their country?

¶3. (SBU) Post sought to validate its issuance rates of Iraqi visitor visas which comprise over 7% of its workload. The goals of this study were twofold: to gain a better understanding of bona fide Iraqi visitors to the United States and to be alert to specific factors that may indicate the person does not intend to return to the Middle East. If an Iraqi has traveled to the United States since 2003, Post believes that the person may be likely to depart the United States after the visit. Post tested this assertion by conducting a validation study.

¶4. (SBU) Post's Fraud Prevention Unit (FPU) is an active participant in Amman's Fraud Control Group (FCG) whose members include several European nations, Canada, Australia, and the United States. The FCG meets monthly and exchanges information on a daily and weekly basis regarding the movement of Iraqis in the region and overseas. Most FCG member countries refuse the vast majority of Iraqi visitor visa applicants, recognizing that most are economic or political migrants, who should be applying for refugee status, not for visitor visas. And each country notes a very high number of Iraqis who, when issued a visa, arrive in the host country and soon apply for asylum. In addition, Amman's FPU learned from U.S. Citizenship and Immigration Service that a high number of Iraqi medical professionals issued student visas in Amman to study English in the

United States, applied for asylum upon arrival. (Note: This visa category represents a smaller data pool than Iraqi visitors and will be analyzed at a later date.)

----- Methodology -----

¶5. (SBU) Post selected six months (July 1 - December 31, 2008) of Iraqi visitor visa issuances (123 records) to determine what percent did not depart according to the original entry stamp in their passport. First, Post extracted records from the Consular Consolidated Database (CCD) and submitted the data to Consular Affairs' Fraud Prevention Programs (CA/FPP) to retrieve entry and exit data from Department of Homeland Security (DHS) databases. CA/FPP and post were able to confirm travel records for 104 of the 123 visa recipients by accessing the Arrival and Departure Information Systems (ADIS), the Automated Targeting System (ATS), and the CCD.

¶6. (SBU) Post then divided the issuances into two categories: those who remained in the United States and those who departed. By reviewing CCD case notes and scanned applications, post analyzed the following indicators: marital status, country of residency, ties to Jordan, prior travel to the United States, family in the United States, purpose of travel, and occupation.

----- Results -----

¶7. (SBU) Analysis reveals that over 21% of Iraqis issued visitor visas who used the visa during that time period had not departed the United States as of mid-November 2009, a date well beyond the maximum 6 months' stay granted by DHS upon entry. For this group, there are no clear markers to associate with their behavior regarding civil status, residency, existence of family in the United States, or year they departed Iraq. But only one-fifth had traveled to the U.S. since 2003. Two-thirds visited family or friends, and the others traveled for medical reasons. Only three applicants stated that their purpose of travel was business-related. Nor were there discernible trends regarding occupation, ranging from university professor, to real estate, restaurant owner, electronic engineer, and housewife.

¶8. (SBU) Regarding the 83 Iraqis who complied with the terms of their visa, approximately half had prior travel to the United States, and most had visited since 2003. Equal numbers were resident in Jordan as in Iraq and half had family in the United States. Most traveled to visit family and friends, one-third traveled for business, and less than 10% traveled for medical reasons. Business travelers worked primarily in the fields of energy (25%), construction (15%), and international development (15%).

----- Conclusion -----

¶9. (SBU) Post concludes that Iraqis applying for tourist visas who have traveled to the United States since 2003 are the best indicator of someone who will adhere to the 'admit until' limit stamped into the passport upon arrival. Those who work in fields relevant to Iraq reconstruction and revitalization (oil, construction, and international development) who are traveling for business, also appear to be strong candidates who will depart the country after their trip. In contrast, those who lack prior, recent travel who are visiting relatives are more likely to remain in the United States, either as a simple overstay, or by adjusting to legal permanent resident status, or by filing an asylum claim.

¶10. (SBU) Post's analysis did not identify any notable difference between travelers who remained and those who departed with regards to their marital status, country of residence, ties to Jordan, or family in the United States. Previously, post assumed that Iraqis who held Jordanian residency could be viewed as having good ties to the Middle East and would be likely to return to Jordan or Iraq after a visit. It is significant that this study shows that whether

an Iraqi is resident in Jordan, or in Iraq, has no apparent bearing on overstays. The only clear indicator that an Iraqi may depart the United States in a timely fashion is a history of recent travel to the United States. And a second positive aspect is the business traveler who works in one of the aforementioned fields and wants to participate in a meeting or conference in America.

¶11. (SBU) Although Iraqi applications in Amman are decreasing on an annual basis, Post has seen a slight increase recently in the number of Iraqi visitor visa applications. Several factors could be at play here, ranging from a natural by-product of the revitalization of the Iraqi economy, to the higher issuance rates at Embassy Amman (now over 42%, up from a 6-year cumulative average of 37%). Post will strengthen its adjudications in light of this data and will continue to validate Iraqi issuances for other indicators of legitimate travel according to the visitor visa guidelines.

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